



Paper No. 4

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**MAIL**

**MAY 30 2001**

**DIRECTOR OFFICE  
TECHNOLOGY CENTER 2100**

In re Application of: Gary Mousseau et al. )  
Application No. 09/783,726 )  
Filed: February 14, 2001 )  
For: SYSTEM AND METHOD FOR )  
PUSHING INFORMATION FROM A )  
HOST SYSTEM TO A MOBILE )  
DATA COMMUNICATION DEVICE )

**DECISION ON PETITION  
UNDER M.P.E.P. §708.02(II):  
INFRINGEMENT**

This is a decision on the petition, filed May 4, 2001, under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(II): Infringement, to make the above-identified application special.

A grantable petition under 37 C.F.R. §1.102(c), and M.P.E.P. §708.02, Section II, must be accompanied by payment of the fee under 37 C.F.R. §1.117(I) and a statement under 37 C.F.R. §1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office that (A) there is an infringing device or product actually on the market or method in use; (B) a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the prior art. A fee under 37 C.F.R. for such a petition is required.

Applicant's submission meets all the criteria set out above, accordingly, the Petition is **GRANTED**. The application file is being forwarded to the Examiner of Record for expedited examination.

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